

Docket No.: 65730-0004

Serial No.: 10/800,485

REMARKS

Applicant has carefully reviewed the Office Action mailed February 8, 2005, and thanks Examiner Donovan for her detailed review of the pending claims. After entry of this amendment, claims 27 through 36 will be pending. Claim 31 has been amended. No new claims or subject matter have been added. Applicant respectfully requests reconsideration of the present application in view of the above amendment and the following remarks.

Objections

The Examiner objected to Claim 31 under 37 CFR 1.75(c) as being of improper dependent form. Applicant has amended the claim in a manner which is believed to address the objection and respectfully requests that the objection be withdrawn.

Rejection of Claims 27 through 36 under Obviousness-Type Double Patenting

On pages 2 and 3 of the Office Action, the Examiner rejected Claims 27 through 36 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 2, 3, 6, 7, 9, 10, 13, 14, 15 and 18 of U.S. Patent 6,716,471 ("Kramer"). Concurrently with this Amendment, Applicant has filed an appropriate terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome the double patenting rejection. The present application and the Kramer patent are commonly owned.

Applicant respectfully submits that one or more of the claims are patentably distinct from those of the Kramer patent and does not hereby acquiesce in the position taken by the Examiner. Nevertheless, in view of the submission of the terminal disclaimer, the rejections based on double patenting are believed to have been addressed.

Therefore, Applicant respectfully requests that the Examiner withdraw the double-patenting rejections of Claims 27 through 36, which are in condition for allowance.

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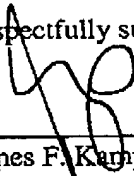
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CONCLUSION

For at least these reasons, this application is now in condition for allowance. It is believed that any fees due with respect to this paper have already been identified in any transmittal accompanying this paper.

However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge account number 18-0013 under Order No. 65730-0004, in the name of Rader, Fishman and Grauer PLLC. If the Examiner has any questions or comments, she is kindly urged to call the undersigned to facilitate prosecution.

Respectfully submitted,



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